

MOSES & SINGER LLP

THE CHRYSLER BUILDING
405 Lexington Avenue, NY, NY 10174-1299
Tel: 212.554.7800 Fax: 212.554.7700
www.mosessinger.com

W. Drew Kastner
Direct: 212.554.7833 Fax: 917.206.4389
wdrewkastner@mosessinger.com

June 14, 2007

VIA FACSIMILIE & REGULAR MAIL

Sidney Weisberg, Esq.
Weisberg & Weisberg
98 cutter Mill Road
Great Neck, NY 11021

Re: Columbia Pictures Industries, Inc. v. John Doe
Case No.: 1:07-CV 3597 (LTS)

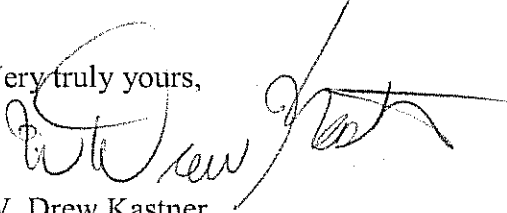
Dear Mr. Weisberg:

I am in receipt of your correspondence of even date regarding the above. Based on our last discussion, we were drafting settlement documents, which I promised to send you next week. These documents would have included a demand for, inter alia, a minimum statutory damages payment of less than \$10,000.

I have reviewed your settlement proposal and find it completely unacceptable. Your references to lack of evidence are self-serving, considering the fact that we have made allegations sufficient to sustain the complaint at this stage. As you know, our evidence is not required to be fully presented at this juncture but rather will be presented at trial. We are confident that we will prove that the sale of a counterfeit DVD-R took place at 365 Canal Street, involving a subtenant of your clients. We will seek full statutory damages for this infringement from the landlord, tenant and subtenants, based on various theories, including contributory and vicarious liability.

If your clients wish to avoid trial and the resulting liability that we are confident will ensue, our client will accept the sum of \$10,000 in damages and a voluntary injunction against future infringing conduct. I look forward to receipt of your response to this settlement proposal or your answer to the complaint.

Very truly yours,



W. Drew Kastner

WDK:js